

REMARKS

Claims 1 and 13 have been amended; therefore, Claims 1-7, 9-11, and 13-20 are pending. Applicants have carefully considered the application in view of the Examiner's action and, in light of the foregoing amendments and the following remarks, respectfully request reconsideration and full allowance of all pending claims.

Claims 1, 2, 6, 9-11, 13, 14, and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Pub. No. 2005/0118998 to Sanchez Ferreras et al. (hereinafter "*Sanchez*"). Claims 3-5, 7, and 15-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sanchez* as applied in view U.S. Patent Pub. No. 20040190522 to Aerrabotu et al. (hereinafter "*Aerrabotu*"). In response, and further to previous amendments and arguments that have been set forth, Applicants have amended independent Claims 1 and 13 such that they now more clearly distinguish, and are patentable over the cited references.

Specifically, independent Claim 1 has been amended to more particularly point out and distinctly claim one of the distinguishing characteristics of the present invention, namely, that the radio communication system comprises a packet data network and multiple network portions, each of the network portions being connected to the packet data network by way of a respective gateway, and that a detector is adapted to receive values of positional information associated with mobile nodes during operation thereof to communicate by way of a packet data network coupled by way of said respective gateways to respective network portions in whose coverage areas mobile nodes, respectively, are positioned. Independent method Claim 13 has been similarly amended in a manner analogous to method steps. These amendments are supported, for example, by Fig. 1 and at page 10, lines 22-28, or the specification as originally filed, thereby adding no new matter to the application.

This distinguishing characteristic provides Applicant's invention with numerous advantages not seen in the cited references. For example, by using a packet data network, in contrast to, e.g., a circuit switched network, multiple users or mobile nodes may access the apparatus on a common channel, and bandwidth is thereby conserved.

Sanchez has been cited as fully disclosing Applicant's invention as recited in Claims 1 and 13. *Sanchez* however fails to teach or suggest a packet data network for any portion of its system, much less in combination with a gateway to a respective network portion through which a detector receives mobile node positional information, as now claimed by Applicants. *Aerrabotu* does not cure this deficiency of *Sanchez* either. While *Aerrabotu* teaches a packet data network for coupling a packet filter to an emergency HLR (see, e.g., Fig. 1), *Aerrabotu* fails to teach or suggest a packet data network and gateway through which a detector receives positional information of a mobile node as now claimed by Applicants.

Even if, for the sake of argument, the packet data network of *Aerrabotu* did cure the cited deficiency of *Sanchez*, it is submitted that it would be improper to combine *Aerrabotu* with *Sanchez*. First, there is no suggestion in either *Aerrabotu* or *Sanchez* to combine the two references together. Second, it is not at all clear how the two references could be combined without arbitrarily (and improperly) picking and choosing different elements of each reference and assembling them in manners not taught by either reference, but only with the benefit of hindsight, to interpose a packet data network between the detector and each network portion by way of respective gateways.

In view of the foregoing, it is apparent that *Sanchez* fails to teach, suggest, or render obvious the unique combination now recited in independent Claims 1 and 13. It is therefore respectfully submitted that Claims 1 and 13 clearly and precisely distinguish over *Sanchez* in a patentable sense, and are therefore allowable over *Sanchez* and the remaining references of record. Accordingly, it is respectfully requested that the rejection of Claims 1 and 13 under 35 U.S.C. § 102(e) as being anticipated by *Sanchez* be withdrawn.

Claims 2-7, 9-11, and 14-20 depend from and further limit independent Claims 1 and 13, in a patentable sense, and, for this reason and the reasons set forth above, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejections of dependent Claims 2-7, 9-11, and 14-20 be withdrawn, as well.

Applicant has now made an earnest attempt to place this application in condition for allowance, or in better condition for appeal. Therefore, Applicants respectfully request, for the

reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-7, 9-11, and 13-20 so that the application may be passed to issue.

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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